

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**3:13-cv-295-RJC
(3:04-cr-250-RJC-6)**

JACQUES MAULICE DEGREE,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER


THIS MATTER is before the Court following the filing of the Fourth Circuit's en banc opinion in Whiteside v. United States, ___ F.3d___, 2014 WL 7245453 (4th Cir. Dec. 19, 2014). The Court granted the Government's motion to stay this § 2255 proceeding pending the resolution of the Whiteside case and as this case has been resolved following en banc hearing, the Government will now be ordered to file a response to Petitioner's § 2255 motion within twenty-one (21) days from entry of this Order.

IT IS, THEREFORE, ORDERED that:

1. Respondent's motion to lift STAY is **GRANTED**. (Doc. No. 7).
2. Respondent's motion to hold this case in abeyance is **DISMISSED** as moot. (Doc. No. 6).
3. Respondent shall have twenty-one (21) days from entry of this Order to file a response to Petitioner's § 2255 motion and supplemental claims for relief.

IT IS SO ORDERED.

Signed: January 26, 2015



Robert J. Conrad, Jr.
United States District Judge

